

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

IN RE:

CHAPTER 7

CASE NO. 12-12411

LEE WADDELL,

Debtor.

**NOTICE OF MOTION FOR CIVIL CONTEMPT PURSUANT TO  
11 U.S.C. § 105 AND BANKRUPTCY RULE 9020 OR,  
ALTERNATIVELY FOR CRIMINAL CONTEMPT  
PURSUANT TO 18 U.S.C. § 401(3) AND § 152**

PLEASE TAKE NOTICE, that upon the Motion for Civil Contempt Pursuant to 11 U.S.C. § 105 and Bankruptcy Rule 9020 or, Alternatively, for Criminal Contempt Pursuant to 18 U.S.C. § 401(3) and § 152 (the "Motion") by Philip J. Danaher, Esq., Chapter 7 Trustee for the above-referenced Estate (the "Trustee"), by and through his attorney, Philip J. Danaher, Esq., the undersigned moves this Court for a hearing to be held on the **6<sup>th</sup> day of August, 2014 at 9:15 a.m.** on the forenoon of that day, or as soon thereafter as counsel may be heard, in Room 306 of the James T. Foley Courthouse, 445 Broadway, Albany, New York, for an Order finding the Debtor, LEE WADDELL, in civil contempt pursuant to 11 U.S.C. § 105 and Bankruptcy Rule 9020 or, alternatively, finding the Debtor(s), LEE WADDELL, in criminal contempt pursuant to 18 U.S.C. § 401(3) and § 152 for failure to comply with this Court's Order dated April 3, 2014 directing the Debtor to Turnover to the Trustee \$20.00 cash on hand at time of filing, \$3,000.00 from the CapCom FCU Savings and Checking Accounts and \$800.00 from the CapCom Money Market Account for a cash Turnover to the Chapter 7 Trustee of \$3,820.00, as well as a 2000 Mazda Protégé, a 2003 GMC Envoy and the DJ equipment and EV system listed on Schedule B.

PLEASE TAKE FURTHER NOTICE, that the hearing described herein may be adjourned from time to time without further notice to creditors or parties in interest other than the announcement of the adjourned date at the time of the hearing.

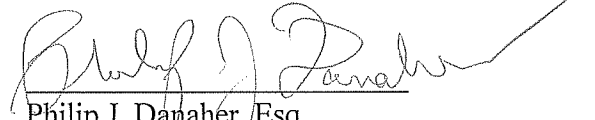
PLEASE TAKE FURTHER NOTICE, that your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one. If you do not have an attorney, you may wish to consult one.

PLEASE TAKE FURTHER NOTICE, that if you do not want the Court to approve the requested relief, or if you want the Court to consider your view on the Motion, then on or before seven (7) business days prior to the return date of this Motion, you or your attorney must file a written response to the Motion, explaining your position, with the Clerk of the US Bankruptcy Court for the Northern District of New York located in the James T. Foley US Courthouse, 445 Broadway, Room 327, Albany, New York. If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date stated above.

PLEASE TAKE FURTHER NOTICE, that you must also mail a copy of your written response to the Chapter 7 Trustee, Philip J. Danaher, Esq., 1001 Glaz Street, East Greenbush, NY 12061, and to the Office of the United States Trustee, 74 Chapel Street, Albany, New York 12207.

PLEASE TAKE FURTHER NOTICE, that if you or your attorney do not take steps, the Court may decide that you do not oppose the Motion and may enter an Order granting the requested relief.

DATED: 7/8/2014



Philip J. Danaher, Esq.  
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